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SUBSIDIARY BODY FOR IMPLEMENTATION
Tenth session
Bonn, 31 May - 11 June 1999
Item 2 (a) of the provisional agenda

PROVISIONAL AGENDA AND ANNOTATIONS

Note by the Executive Secretary

I. INTRODUCTION

1. Arrangements have been made for the tenth session of the Subsidiary Body for Implementation (SBI) to be held at the Hotel Maritim, Bonn, from 31 May to 11 June 1999. The session is scheduled to be opened by the Chairman at 4 p.m. on Monday, 31 May 1999. The first part of the opening day will be used for informal consultations (see paragraphs 11 and 12 below).

2. The deadlines set by the decisions that constitute the Buenos Aires Plan of Action (decision 1/CP.4)[1] are ambitious and will demand intensive work by the SBI at each of its three sessions before the sixth session of the Conference of the Parties (COP 6). As time will be limited at its eleventh session, which will be held in conjunction with COP 5, the SBI should aim to arrive at conclusions on as many of the issues before it as possible at its tenth session.

II. PROVISIONAL AGENDA

3. The provisional agenda for the tenth session of the SBI, proposed after consultation with the Chairman, is as follows:

[1] For the full texts of decisions adopted by the Convention of the Parties at its first, second, third and fourth sessions, see documents FCCC/CP/1995/7/Add.1, FCCC/CP/1996/15/Add.1, FCCC/CP/1997/7/Add.1 and FCCC/CP/1998/16/Add.1, respectively.

1. Opening of the session.

2. Organizational matters:

   (a) Adoption of the agenda;
   (b) Organization of the work of the session.

3. National communications from Parties included in Annex I to the Convention:

   (a) Annual inventories of national greenhouse gas data for 1996;
   (b) Reporting on technology transfer and financial assistance;
   (c) Future review process, including that under Articles 7 and 8 of the Kyoto Protocol.

4. National communications from Parties not included in Annex I to the Convention:

   (a) Provision of financial and technical support;
   (b) Preparation for review of enabling activities;
   (c) Process for considering non-Annex I Party communications;
   (d) Timing of second national communications.

5. Implementation of Article 4, paragraphs 8 and 9, of the Convention (decision 3/CP.3 and Articles 2.3 and 3.14 of the Kyoto Protocol): programme of work.

6. Procedures and mechanisms relating to compliance under the Kyoto Protocol: organizational matters related to the joint working group.

7. Activities implemented jointly under the pilot phase.

8. Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol.

9. Arrangements for intergovernmental meetings:

   (a) Improving the intergovernmental process;
   (b) Conference of the Parties at its fifth session;
   (c) Conference of the Parties at its sixth session;
   (d) Calendar of meetings.

10. Administrative and financial matters:

   (a) Programme budget for the biennium 2000-2001;
   (b) Income and budget performance in the biennium 1998-1999;

(c) Arrangements for administrative support to the Convention;
(d) Institutional linkage of the Convention secretariat to the United Nations.

11. Other matters.

12. Report on the session.

III. ANNOTATIONS TO THE PROVISIONAL AGENDA

1. Opening of the session

1. The tenth session of the SBI is scheduled to be opened by the Chairman at 4 p.m. on Monday, 31 May 1999.

2. Organizational matters

(a) Adoption of the agenda

5. The provisional agenda for the tenth session of the SBI is presented for adoption (see paragraph 3 above).

6. Items 5, 6, 7 and 8 have been included in the provisional agendas of both the SBI and the Subsidiary Body for Scientific and Technological Advice (SBSTA).

7. Following consultations with the COP Bureau, it is proposed that the items on the second review of the adequacy of Article 4.2(a) and (b), and review of information and possible decisions under Article 4.2(f), be taken up by COP 5. These two items are included in the current list of elements for the provisional agenda of COP 5 (see FCCC/SBI/1999/2, annex I). In this context, they will be placed on the provisional agenda for the eleventh session of the SBI. Meanwhile, Parties may wish to undertake informal consultations on these matters during this session in preparation for discussions at the eleventh session.

8. At its ninth session, the SBI requested the secretariat to prepare a report on the feasibility of data comparisons (FCCC/SBI/1998/7, para. 21 (e)). It is proposed that this matter be discussed first in the SBSTA as it is relevant to discussions under its related provisional agenda item 4 (b) on the review process related to greenhouse gas inventories. The secretariat has prepared a report on data comparisons (FCCC/TP/1999/2) which will serve as an input for the discussion in the SBSTA.

(b) Organization of the work of the session

(i) Arrangements on items 5, 6, 7 and 8 of the provisional agenda

9. It is proposed that consideration of item 5 of the provisional agenda be initiated in the SBI and followed by discussion in the SBSTA.

10. Items 6, 7, and 8 will be taken up initially in a joint meeting of the subsidiary bodies, scheduled for the morning of Tuesday, 1 June.

11. Informal consultations on item 6 will be arranged, as requested by decision 8/CP.4. These consultations will be held from 9.30 a.m. to 12 noon on Monday, 31 May, prior to the opening of the sessions of the subsidiary bodies.

12. The Chairmen of the subsidiary bodies will provide a briefing to Parties on the technical workshop held on the Kyoto Protocol mechanisms pursuant to decision 7/CP.4 (Bonn, 9-15 April 1999) on Monday, 31 May, from 12 noon to 1 p.m.

(ii) Intergovernmental process

13. Discussions under sub-item 9 (a) of the provisional agenda of the Subsidiary Body for Scientific and Technological Advice on improving the intergovernmental process may have implications for the delivery of inputs to the SBI.

(iii) Documentation

14. A list of documents relating to the provisional agenda, as well as other documents available at the session, is contained in annex I below.

(iv) Schedule

15. The scheduling of meetings for the session will be based on the availability of facilities during normal working hours, when services are available for two meetings of Convention bodies with interpretation from 10 a.m. to 1 p.m. and from 3 p.m. to 6 p.m. There will also be some facilities for informal meetings without interpretation. Delegations are urged to use these facilities fully by attending all meetings promptly at the scheduled time. After consultations with the Chairmen of the subsidiary bodies, an approach for the organization of work is suggested in annex II below.

3. National communications from Parties included in Annex I to the Convention

(a) Annual inventories of national greenhouse gas data for 1996

16. The SBI, at its ninth session, took note of the summary compilation of annual greenhouse gas (GHG) emissions inventory data from Parties included in Annex I to the Convention (Annex I Parties) (FCCC/CP/1998/INF.9). The SBI further recalled decision 6/CP.3 and requested the secretariat to provide a report on the information contained in national inventory submissions for the tenth session of the subsidiary bodies. The SBI also requested the secretariat to include the available projection data in that report (FCCC/SBI/1998/7, para. 21 (f)). In response to this request, the secretariat has prepared the report contained in documents FCCC/SBI/1999/5 and Add.1. The SBI may wish to consider this report, take note of the information provided, and provide further guidance on the reporting of annual inventory data.

(b) Reporting on technology transfer and financial assistance

17. By its decision 11/CP.4, the Conference of the Parties invited the SBSTA to consider the means by which the reporting requirements under the guidelines for the preparation of national communications by Annex I Parties (UNFCCC guidelines) in relation to the transfer of technology and the provision of financial resources might better identify and reflect the range of actions being taken by Annex II Parties. In this context, the COP requested the SBI to provide additional guidance with respect to information needs and reporting on technology transfer and financial assistance.

18. The SBI may wish to consider and take note of the report on clarifications, additions and amendments to the UNFCCC guidelines (FCCC/SB/1999/1 and Add.2). This report was prepared taking into consideration information from the technical workshop (Bonn, 17-19 March 1999) which was held in response to a request by the SBSTA to assess the responses received to the questionnaire sent to Parties on clarifications, additions and amendments to the UNFCCC guidelines. Responses from Parties to this questionnaire may be found in document FCCC/SB/1999/MISC.2. The SBI may wish to take these documents into account when developing guidance to the SBSTA on technology transfer and financial assistance, as requested by the COP.

(c) Future review process, including that under Articles 7 and 8 of the Kyoto Protocol

19. The secretariat will provide a progress report on the in-depth reviews of second national communications from Annex I Parties (FCCC/SBI/1999/INF.2)

20. The SBI, at its ninth session, began its discussion on how the future in-depth review process could be conducted. It further invited Parties to submit their views on the scope and modalities of the review process for the third national communications, including in-depth reviews, in the context of the Kyoto Protocol. The views received have been compiled in

document FCCC/SB/1999/MISC.2. The SBI requested the secretariat to prepare, for consideration at its tenth session, a document containing suggestions for the future review process, taking into account the views of Parties and the relevant requirements of the Kyoto Protocol (FCCC/SBI/1998/7, para. 21(d)).

21. Pursuant to the above-mentioned request, the SBI will have before it document FCCC/SBI/1999/6. It may wish to consider the suggestions on the future review process put forward in that document, taking into account the work programme on methodological issues related to Articles 5, 7 and 8 of the Kyoto Protocol contained in document FCCC/SB/1999/2 and any conclusions of the SBSTA under its related provisional agenda item 4 (c). Parties may also wish to bear in mind that the SBSTA, under its agenda item 4 (b), will consider an initial report on elements needed for the technical review of GHG inventories (FCCC/SBSTA/1999/3), and may forward relevant conclusions on this matter to the SBI.

22. The SBI, taking into account the advice of the SBSTA, may wish to provide guidance to the secretariat on the conduct and timing of reviews of inventory data submitted annually by Annex I Parties.

4. National communications from Parties not included in Annex I to the Convention

(a) Provision of financial and technical support

23. The Conference of the Parties, by its decision 10/CP.2, requested the secretariat to make available to the SBI, at each of its sessions, details of the financial support made available to Parties not included in Annex I to the Convention (non-Annex I Parties) from the Global Environment Facility (GEF), as an entity entrusted with the operation of the financial mechanism, for the preparation of their initial communications. This information is contained in document FCCC/SBI/1999/INF.1.

24. By its decisions 10/CP.2 and 12/CP.4, the Conference of the Parties also requested the secretariat, in accordance with Article 8.2 (c) of the Convention, to facilitate assistance to Parties particularly developing country Parties, in the preparation of their initial communications and to submit a report to the SBI and the SBSTA at each of their sessions. In response to this request, the progress report by the secretariat is available in document FCCC/SBI/1999/INF.3. Any methodological issues arising from the report may be referred to the SBSTA for its consideration. The secretariat will organize a special event for the informal exchange of information and experience in the development, implementation and follow-up of projects in the area of climate change. Several presentations will be made at this event, including one on activities undertaken by the National Communications Support Programme (NCSP). The NCSP, co-chaired by the secretariats of the UNFCCC and the Global Environment Facility, is jointly implemented by the United Nations Environment Programme (UNEP) and the United Nations Development Programme (UNDP). This programme aims at improving the coordination of existing assistance to developing countries in the preparation of their initial communications, and

providing, as appropriate, additional technical support.

25. The Conference of the Parties, by its decision 10/CP.2, further requested the secretariat to facilitate assistance for the preparation of initial communications through the organization of workshops at the regional level and to provide a forum for the exchange of experience in the development of emission factors and activity data for the estimation of the inventory. The secretariat will organize a special event, at which the second meeting of the forum for the exchange of experience in the development of GHG emission factors and activity data will take place.

26. The Conference of the Parties, by its decision 12/CP.4, requested the secretariat to compile and make available to Parties a list of projects submitted by non-Annex I Parties in accordance with Article 12.4 of the Convention. A report containing a list of such projects is contained in document FCCC/SBI/1999/INF.4.

27. The SBI may wish to take note of the information provided in documents FCCC/SBI/1999/INF.1, FCCC/SBI/1999/INF.3 and FCCC/SBI/1999/INF.4, and provide any further guidance that may be necessary to the secretariat on facilitating assistance to non-Annex I Parties for the preparation of their initial communications.

(b) Preparation for review of enabling activities

28. By its decision 12/CP.4, the Conference of the Parties requested the secretariat to compile and make available to the SBI a report containing views and concerns identified by non-Annex I Parties, and to ensure that such views are taken into account in the GEF review of enabling activities on climate change. Views submitted by Parties are contained in document FCCC/SBI/1999/MISC.2. The secretariat will prepare a report to the SBI at its eleventh session based on the views submitted by Parties.

29. The SBI may wish to take note of the information provided in document FCCC/SBI/1999/MISC.2 and provide guidance to the secretariat on preparation of the report on this matter.

(c) Process for considering non-Annex I Party communications

30. At its fourth session, the Conference of the Parties decided to continue to address the consideration of communications from non-Annex I Parties at its fifth session, with a view to taking a further decision on this matter (decision 12/CP.4).

31. The Conference of the Parties further requested Parties to submit their views to the secretariat on the consideration of communications from non-Annex I Parties. Submissions received will be made available to the SBI in document FCCC/SBI/1999/MISC.1.

32. The SBI may wish to take note of the views of Parties contained in the above-mentioned document and consider this matter, with a view to developing a decision for recommendation to COP 5.

(d) Timing of second national communications

33. Also by its decision 12/CP.4, the Conference of the Parties requested Parties to submit their views on the timing of second national communications of non-Annex I Parties, taking into account Article 12.5 of the Convention, for consideration by the SBI at its tenth session. Submissions received are included in document FCCC/SBI/1999/MISC.1.

34. The SBI may wish to take note of the views of Parties contained in the above-mentioned document and consider the timing of second national communications of non-Annex I Parties.

5. Implementation of Article 4, paragraphs 8 and 9, of the Convention (decision 3/CP.3 and Articles 2.3 and 3.14 of the Kyoto Protocol): programme of work

35. The Conference of the Parties, at its fourth session, requested the SBI and the SBSTA to continue consideration of the implementation of Article 4.8 and 4.9 of the Convention at their tenth and eleventh sessions, and to report thereon to the Conference of the Parties at its fifth session (decision 5/CP.4). The COP also decided to adopt and implement the programme of work set out in the annex to that decision, including the organization of an expert workshop by September 1999, under the guidance of the Chairman of the SBSTA. It further invited Parties to submit their views on the issues to be discussed at the expert workshop, and requested the SBI and the SBSTA, on the basis of these submissions, to define the terms of reference of the expert workshop at their tenth sessions. The submissions received are contained in document FCCC/SB/1999/MISC.6.

36. The SBI may wish to initiate deliberations on this item by considering the submissions received. It may then wish to communicate to the SBSTA, for its consideration, any views on the terms of reference of the expert workshop.

6. Procedures and mechanisms related to compliance under the Kyoto Protocol: organizational matters related to the joint working group

37. The Conference of the Parties, at its fourth session, established a joint working group, under the SBI and the SBSTA, to develop procedures and mechanisms relating to compliance under the Kyoto Protocol (decision 8/CP.4). The group will be convened by a joint meeting of the SBI and SBSTA. The first meeting of the group will be held on Wednesday, 2 June from 3 p.m. to 6 p.m. The Chairmen of the SBI and SBSTA are consulting on a possible chairperson or chairpersons for the joint working group.

38. The Conference of the Parties also requested the secretariat to facilitate a consultation on

this matter immediately prior to the tenth sessions of the subsidiary bodies. This consultation will be held at the Hotel Maritim on Monday, 31 May, from 9.30 a.m. to 12 noon.

39. The joint working group may wish to decide its agenda at its first meeting, based on the mandate contained in decision 8/CP.4, and be ready to conduct substantive discussions on this matter. The group may also wish to consider its work programme, bearing in mind that it will need to report, through the subsidiary bodies, on progress made to COP 5, which will establish, if necessary, an ad hoc working group. The joint working group will have before it a compilation of views submitted by Parties on matters relating to compliance under the Kyoto Protocol (FCCC/SB/1999/MISC.4).

7. Activities implemented jointly under the pilot phase

40. The Conference of the Parties, at its fourth session, requested the subsidiary bodies to address, at their tenth sessions, the review process of the pilot phase of activities implemented jointly (AIJ), with a view to the COP taking a conclusive decision on the pilot phase, and the progression beyond that, no later than the end of the present decade (decision 6/CP.4). Parties may consider taking such a decision at the fifth session of the Conference of the Parties.

41. To facilitate this review process, Parties were invited to submit their views on the process and information on the experience gained and lessons learned with AIJ under the pilot phase. Further, Parties were again invited to provide inputs on their experience in using the uniform reporting format. The submissions received on these issues are contained in documents FCCC/SB/1999/MISC.1 and Add. 1.

42. Parties will also have before them an update on AIJ under the pilot phase, including a list of reported activities (FCCC/SB/1999/INF.1). Parties may wish to take note of this information, and provide additional guidance to the secretariat for its work on this issue, as necessary.

8. Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol

43. By its decision 7/CP.4, the Conference of the Parties agreed on a work programme on the mechanisms under Articles 6, 12 and 17 of the Kyoto Protocol, including a list of elements annexed to that decision.

44. In the same decision, the Conference of the Parties identified steps to be taken in fulfilling this work programme in the period leading up to, and at, the tenth sessions of the subsidiary bodies, notably the convening of two technical workshops before 15 April 1999 (which were merged into one workshop and held in Bonn, 9-15 April 1999) and consideration of the following documents:

(a) A compilation of further proposals by Parties on principles, modalities, rules and guidelines for the mechanisms (FCCC/SB/1999/MISC.3). Any additional submissions received

will be issued as addenda;

(b) A plan for facilitating capacity-building on the mechanisms under decision 7/CP.4 (FCCC/SB/1999/4); and

(c) A note by the Chairmen of the subsidiary bodies containing a synthesis of proposals by Parties on matters addressed in decision 7/CP.4, paragraph 1 (FCCC/SB/1999/5).

The documents listed under (b) and (c) will reflect the proceedings of the technical workshop.

45. As noted in paragraph 12 above, the Chairmen of the subsidiary bodies will provide a briefing to Parties on the technical workshop held on the Kyoto Protocol mechanisms pursuant to decision 7/CP.4 (Bonn, 9-15 April 1999) on Monday, 31 May, from 12 noon to 1 p.m.

46. Parties may wish to take note of the proposals contained, and information provided, in the above-mentioned documents, and give further guidance to the Chairmen of the subsidiary bodies and the secretariat on modalities for advancing the work programme under decision 7/CP.4 in support of the intergovernmental process leading up to COP 6.

9. Arrangements for intergovernmental meetings

(a) Improving the intergovernmental process

47. The Convention process continues to evolve and the needs of the Parties to change in consequence. The process must respond to both technical and political demands. COP 4 may be judged to have marked a turning point to a more technical phase of work by the Parties and their secretariat. COP 6 will again bring the political aspects of the process to the fore. In an effort to provoke reflection on ways of making the process more efficient and effective in both respects, the secretariat has raised a number of questions with the Bureau and put forward some suggestions thereon in document FCCC/SBI/1999/2 (section II). The topics flagged for consideration and advice by the SBI are:

- the growing scale and costs of COP sessions and the implications for host Parties;
- the need to ensure adequate technical inputs from government experts, the secretariat and its partners, and the use of technical workshops as a device to this end;
- the volume and timing of documentation, and the costs of translating it;
- the transparency of consultative processes used to obtain final outcomes of COP sessions;
- possible technical improvements in the process of drafting such outcomes.

(f) Conference of the Parties at its fifth session

48. The fifth session of the Conference of the Parties will be held at Bonn, Germany, from 25 October to 5 November 1999, in conjunction with the eleventh sessions of the

subsidiary bodies. The SBI will have before it document FCCC/SBI/1999/2, containing information on arrangements for the Conference being made by the secretariat, after consultations with the Bureau. The document will include a list of possible elements for a provisional agenda for the session. It will also contain options and suggestions concerning the organization of the session, including for the scheduling of the subsidiary bodies and the Conference, the possible establishment of a Committee of the Whole, and the need for, and organization of, any high-level segment to be attended by ministers and other heads of delegations, when such a segment might best be convened, and the nature of any ministerial involvement. The SBI may wish to take note of the information provided by the secretariat, consider the options and suggestions presented, and provide guidance on those matters.

(c) Conference of the Parties at its sixth session

49. In order to facilitate preparations for COP 6, an early decision on the venue of the Conference would be desirable. Parties interested in hosting the session are therefore encouraged to present their offers in time for consideration by the SBI at its tenth session. The SBI, after considering any such offers, may wish to recommend a decision on the date and host country for COP 6, for adoption by COP 5, and also to request the secretariat to start planning for COP 6 with the designated host country and enter into the necessary agreement.

(d) Calendar of meetings

50. The Conference of the Parties, at its fourth session, adopted decision 19/CP.4 entitled "Calendar of meetings of Convention bodies 2000-2001" on the understanding that the secretariat would attempt to identify suitable dates for the second sessional period in the year 2000 taking into account the availability of facilities and conference services. The SBI may wish to consider this sub-item in conjunction with sub-item 9 (c) on the Conference of the Parties at its sixth session.

10. Administrative and financial matters

(a) Programme budget for the biennium 2000-2001

51. In accordance with the financial procedures of the Convention (decision 15/CP.1), the COP, at its fourth session, requested the Executive Secretary to submit a proposed programme budget for the biennium 2000-2001 for consideration by the SBI at its tenth session (decision 17/CP.4). It was specified that this proposal should include a contingency for conference services, should the General Assembly decide at its fifty-fourth session not to include the Convention's needs in its own regular budget for the coming biennium. In response to this request, the Executive Secretary proposes the programme budget contained in document FCCC/SBI/1999/4. The proposed budget is based on the programme of work contained in document FCCC/SBI/1999/4/Add.1, which includes information on the activities the secretariat expects to undertake in the coming biennium, the results that should be achieved and the

estimated financial and human resources required to do so. As requested by the COP, the SBI, at its tenth session, is invited to:

(a) Review the proposed budget and recommend a budget decision to the COP for adoption at its fifth session;

(b) Include in this decision, in keeping with previous practice, a total budget with allocations by programme, a secretariat-wide staffing table, broken down by level, a provision enabling the Executive Secretary to transfer resources among programmes within limits, and contingencies as required (e.g. for conference services);

(c) Authorize the Executive Secretary to notify the Parties, by 1 October 1999, of their indicative contributions due to the core budget for 2000 on the basis of the recommended budget decision; and

(d) Recommend that the COP take note of funding requirements outside of the core programme budget for the coming biennium.

(b) Income and budget performance in the biennium 1998-1999

52. The Conference of the Parties, at its fourth session, took note of the initial report on financial performance in 1998, and requested the Executive Secretary to present options to the SBI at its tenth session on how to deal with the issue of the significant carry-over under the core budget from one biennium to the next, arising *inter alia* from late payment of contributions (decision 17/CP.4). A response to this request is contained in document FCCC/SBI/1999/3, which also includes an update on income and expenditures in the current biennium. The SBI may wish to take note of the information provided by the Executive Secretary, and make a recommendation to COP 5, as appropriate, as to how to deal with this issue. This recommendation may be included as part of an omnibus decision covering all issues related to administrative and financial matters apart from the programme budget for the coming biennium.

53. Information on the status of contributions by Parties to the core budget and the other trust funds administered by the secretariat is contained in document FCCC/SBI/1999/INF.5.

(c) Arrangements for administrative support to the Convention

54. At its fourth session, the Conference of the Parties took note of the developments reported by the Executive Secretary in his discussions with the United Nations regarding administrative arrangements for the Convention, and endorsed the efforts being undertaken to achieve a more rational and efficient approach thereto. The COP further requested the Executive Secretary to report to the SBI at its tenth session on the progress made in implementing the new administrative arrangements (decision 17/CP.4). An initial response to this request is contained in document FCCC/SBI/1999/3. The Executive Secretary may also make an oral report on this

matter. The SBI may wish to take note of the information provided, and request the Executive Secretary to continue his efforts to improve the administrative arrangements for the Convention.

(d) Institutional linkage of the Convention secretariat to the United Nations

55. At its first session, the Conference of the Parties decided to review the functioning of the institutional linkage of the Convention secretariat to the United Nations not later than 31 December 1999, in consultation with the Secretary-General of the United Nations, with a view to making such modifications as may be considered desirable by both parties (decision 14/CP.1). The United Nations General Assembly, by its resolution 50/115 of 20 December 1995, endorsed this institutional linkage and requested the Secretary-General to review the arrangements not later than 31 December 1999 in consultation with the COP, with a view to making such modifications as may be considered desirable by both parties, and to report thereon to the General Assembly.

56. The SBI will have before it document FCCC/SBI/1999/7 containing information on the implementation of the arrangements for institutional linkage with the United Nations. Bearing in mind that the General Assembly will review the institutional linkage at its fifty-fourth session, the SBI should seek to complete its review at this session and make a recommendation to COP 5 on the institutional linkage that may be taken into account by the General Assembly. It would be desirable for such a decision to be adopted by the COP at the start of its fifth session.

11. Other matters

57. In accordance with its Article 24, the Kyoto Protocol to the UNFCCC was open for signature at United Nations Headquarters in New York from 16 March 1998 to 15 March 1999. Eighty-four Parties signed the Protocol during the specified period. As of 15 March 1999, the Kyoto Protocol had received seven instruments of ratification, all from non-Annex I Parties. Updated information on ratification of the Kyoto Protocol will be available at the session.

58. The SBI may wish to express its appreciation to those Parties that have ratified the Kyoto Protocol, and invite those other Parties that have signed the Protocol to inform the secretariat of the expected timing of their ratification. The SBI may further wish to invite Parties to the Convention that have not yet signed the Protocol to accede to it, following their respective national processes.

12. Report on the session

59. Because of the time that is likely to be needed for considering all items on the agenda, a complete draft text of the report may not be available at the end of the session. The SBI may wish to adopt decisions or substantive conclusions, and authorize the Rapporteur to complete the report after the session with the guidance of the Chairman and the assistance of the secretariat. Subject to the availability of sufficient time for their translation, conclusions will be made available in all languages.

Annex I

DOCUMENTS BEFORE THE SUBSIDIARY BODY FOR IMPLEMENTATION AT ITS TENTH SESSION

Documents prepared for the session

FCCC/SBI/1999/1	Provisional agenda and annotations. Note by the Executive Secretary
FCCC/SBI/1999/2	Arrangements for intergovernmental meetings. Note by the Executive Secretary
FCCC/SBI/1999/3	Administrative and financial matters. Note by the Executive Secretary
FCCC/SBI/1999/4	Proposed programme budget of the Convention for the biennium 2000-2001. Note by the Executive Secretary
FCCC/SBI/1999/4/Add.1	Proposed programme budget of the Convention for the biennium 2000-2001. Addendum. Detailed subprogramme activities and resource requirements. Note by the Executive Secretary
FCCC/SBI/1999/5	Annual inventories of national greenhouse gas data for 1996. Report on national greenhouse gas emissions inventory submissions from Annex I Parties for 1990 to1996
FCCC/SBI/1999/5/Add.1	Annual inventories of national greenhouse gas data for 1996. Report on national greenhouse gas emissions inventory submissions from Annex I Parties for 1990 to 1996. Addendum. Tables of inventories of anthropogenic emissions and removals of greenhouse gases for 1990 to1996 and projections
FCCC/SBI/1999/6	Future review process, including that under Articles 7 and 8 of the Kyoto Protocol
FCCC/SBI/1999/7	Administrative and financial matters. Institutional linkage of the Convention secretariat to the United Nations. Note by the Executive Secretary

FCCC/SBI/1999/INF.1	Information on relevant actions by the Global Environment Facility
FCCC/SBI/1999/INF.2	Progress report on the in-depth reviews of second national communications from Parties included in Annex I to the Convention
FCCC/SBI/1999/INF.3	Report on activities to facilitate the provision of financial and technical support and information on communications from Parties not included in Annex I to the Convention
FCCC/SBI/1999/INF.4	List of projects submitted by Parties not included in Annex I to the Convention in accordance with Article 12.4 of the Convention
FCCC/SBI/1999/INF.5	Administrative and financial matters. Status report on receipt of contributions from Parties
FCCC/SBI/1999/MISC.1	Views of Parties on consideration and timing of second national communications from Parties not included in Annex I to the Convention
FCCC/SBI/1999/MISC.2	Views of Parties with regard to the review of the Global Environment Facility enabling activities
FCCC/SB/1999/1	Report on clarifications, additions and amendments to the revised guidelines for the preparation of national communications by Parties included in Annex I to the Convention (including part I of the reporting guidelines on inventories)
FCCC/SB/1999/1/Add.1	Report on clarifications, additions and amendments to the revised guidelines for the preparation of national communications by Parties included in Annex I to the Convention (including part I of the reporting guidelines on inventories). Addendum. Common reporting format

FCCC/SB/1999/1/Add.2	Report on clarifications, additions and amendments to the revised guidelines for the preparation of national communications by Parties included in Annex I to the Convention (including part II of the reporting guidelines on other issues). Addendum. Policies and measures and projections, financial resources and transfer of technology, and other issues
FCCC/SB/1999/2 and Corr. 1	Work programme on methodological issues related to Articles 5, 7 and 8 of the Kyoto Protocol
FCCC/SB/1999/4	Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol. Plan for facilitating capacity-building under decision 7/CP.4
FCCC/SB/1999/5	Mechanisms pursuant to Articles 6, 12 and 17 of the Kyoto Protocol. Synthesis of proposals by Parties on principles, modalities and guidelines for the mechanisms under Articles 6, 12 and 17 of the Kyoto Protocol. Note by the Chairmen
FCCC/SB/1999/INF.1	Activities implemented jointly under the pilot phase. Update on activities implemented jointly
FCCC/SB/1999/MISC.1 and Add.1	Views on the review process of activities implemented jointly under the pilot phase and information on experience gained and lessons learned, including on the uniform reporting format. Compilation of submissions from Parties
FCCC/SB/1999/MISC.2	Clarifications, additions and/or amendments to the revised guidelines for the preparation of national communications from Parties included in Annex I to the Convention, the scope of the third national communications, and the scope and modalities of the review process for the third national communications, including in-depth reviews, in the context of the Kyoto Protocol. Submissions from Parties
FCCC/SB/1999/MISC.3	Principles, modalities, rules and guidelines for the mechanisms under Articles 6, 12 and 17 of the Kyoto Protocol. Submissions from Parties
FCCC/SB/1999/MISC. 4	Procedures and mechanisms relating to compliance under the Kyoto Protocol. Submissions from Parties

FCCC/SB/1999/MISC.5	Comments from Parties on methodological issues related to possible clarifications, additions and amendments to the inventory section of the revised guidelines for the preparation of national communications by Annex I Parties
FCCC/SB/1999/MISC.6	Views on issues to be discussed in the expert workshop on the implementation of Article 4.8 and 4.9 of the Convention (decision 3/CP.3 and Articles 2.3 and 3.14 of the Kyoto Protocol). Submissions from Parties

Other documents for the session

FCCC/CP/1998/16	Report of the Conference of the Parties on its fourth session, held at Buenos Aires from 2 to14 November 1998. Part One: Proceedings
FCCC/CP/1998/16/Add.1	Report of the Conference of the Parties on its fourth session, held at Buenos Aires from 2 to 14 November 1998. Addendum. Part Two: Action taken by the Conference of the Parties at its fourth session
FCCC/TP/1999/2	Technical paper: Report on data comparisons

Documents available for reference only

FCCC/CP/1998/INF.9	Review of information communicated under Article 12. National communications from Parties included in Annex I to the Convention. Summary compilation of annual greenhouse gas emissions inventory data from Annex I Parties
FCCC/CP/1997/7/Add.1	Report of the Conference of the Parties on its third session, held at Kyoto from 1 to 11 December 1997. Addendum. Part Two: Action taken by the Conference of the Parties at its third session
FCCC/CP/1996/2	Adoption of the rules of procedure
FCCC/CP/1996/15/Add.1	Report of the Conference of the Parties on its second session, held at Geneva from 8 to 19 July 1996. Addendum. Part Two: Action taken by the Conference of the Parties at its second session

FCCC/CP/1995/7/Add.1	Report of the Conference of the Parties on its first session, held at Berlin from 28 March to 7 April 1995. Addendum. Part Two: Action taken by the Conference of the Parties at its first session
FCCC/SBI/1998/6/and Corr.1	Report of the Subsidiary Body for Implementation on its eighth session, Bonn, 2-12 June 1998
FCCC/SBI/1998/7	Report of the Subsidiary Body for Implementation on its ninth session, Buenos Aires, 3-10 November 1998

A number of in-depth review reports will be available for reference only

Annex II

PROPOSED SCHEDULE OF WORK FOR THE TENTH SESSIONS OF THE SUBSIDIARY BODIES

	Monday 31 May	**Tuesday 1 June**	**Wednesday 2 June**	**Thursday 3 June**	**Friday 4 June**
10 a.m. to 1 p.m.	*Consultations on compliance (9:30 a.m. - 12 a.m.)* *Briefing by the Chairmen on the technical workshop on the Kyoto Protocol mechanisms (12 a.m. -1 p.m.)*	[JOINT MEETING] SBSTA items 10, 11 and 12 SBI items 6, 7 and 8	SBSTA item 7 SBI items 3, 10, and 11 (*continued, as necessary*)	*Informals*	SBSTA item 9 *Informals*
3 p.m. to 6 p.m.	SBSTA items 1, 2, 3, 6 and 8 SBI items 1, 2, 4 and 5 *(4 p.m-6 p.m)*	SBSTA items 4 and 5 SBI items 4 and 6 (*continued, as necessary*) and 9, 10, and 11	Joint working group on compliance *Informals*	*Informals*	Joint working group on compliance *Informals*

Note: - - - indicates parallel meetings

(continued)

	Monday 7 June	Tuesday 8 June	Wednesday 9 June	Thursday 10 June	Friday 11 June
10 a.m. to 1 p.m.	SBSTA items 3, 4 (b), 5, 6 and 8 --- *Informals*	*Informals*	[JOINT MEETING] SBSTA items 10, 11 and 12 SBI items 6, 7 and 8 SBSTA items 4 (a), 7 and 9* --- SBI items 3, 4, 5, 9, 10, and 11*	Joint working group on compliance --- *Informals*	[JOINT MEETING] SBSTA items 10, 11 and 12 SBI items 6, 7 and 8
3 p.m. to 6 p.m.	*Informals*	Joint working group on compliance --- *Informals*	*Informals*	*Informals*	SBSTA item 13 --- SBI item 12

Note: --- indicates parallel meetings

* The SBI and the SBSTA will take up these items under their respective agendas after the joint meeting, if there is time.

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UNITED NATIONS

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SUBSIDIARY BODY FOR IMPLEMENTATION
Tenth session
Bonn, 31 May - 11 June 1999
Item 9 (a) and (b) of the provisional agenda

ARRANGEMENTS FOR INTERGOVERNMENTAL MEETINGS

Note by the Executive Secretary

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I. INTRODUCTION

A. Mandate

1. Article 8.2 of the Convention provides that the functions of the secretariat shall be, *inter alia*, "to make arrangements for sessions of the Conference of the Parties and its subsidiary bodies established under the Convention and to provide them with services as required". Article 8.4 of the Convention also provides that ordinary sessions of the Conference of the Parties shall be held every year unless otherwise decided by the Conference of the Parties.

B. Scope of the note

2. Section II addresses the intergovernmental process under the Convention and how it might be improved and made more efficient. Section III of the note contains information on organizational arrangements for the Conference of the Parties at is fifth session (COP 5) and provides a list of possible elements for a provisional agenda for that session of the Conference. Section IV deals with arrangements for the Conference of the Parties at its sixth session (COP 6). Section V contains information on the calendar of meetings. The Executive Secretary consulted the Bureau on certain aspects of this note. Any further information or proposals arising before the SBI considers the note will be conveyed orally during the session.

C. Possible action by the Subsidiary Body for Implementation

3. Guidance is invited from the SBI on the matters raised in this note, in particular on:

(a) Ways of improving the intergovernmental process;

(b) The possible elements of a provisional agenda for COP 5;

(c) The organization of the work of COP 5, including the schedule of the session and of the subsidiary bodies, the establishment of a Committee of the Whole and the timing and nature of a high-level segment;

(d) Consultations on the composition of the Bureau for COP 5; and

(e) A recommendation to COP 5 on the second sessional period in 2000, including the date and venue of COP 6.

II. IMPROVING THE INTERGOVERNMENTAL PROCESS

4. The Convention process is continuing to evolve in accordance with the changing needs of Parties. It may be appropriate to take stock of the state of the process, up to and including COP 4, and to reflect on possible ways to improve it and make it more efficient and effective.

A. Scale

5. Sessions of the COP, whether or not accompanied by sessions of the subsidiary bodies, have emerged as very large and complex international events involving not only intergovernmental deliberations but also extensive non-governmental presence and a multiplicity of side-events, often with considerable media presence. This evolution has enhanced the impact of the COP on public opinion and the diverse segments of civil society. However, the cost and infrastructure requirements of hosting this scale of event exceed the capacities of many Parties. In addition, it has resource implications for all Parties, as participants and as contributors to the core budget, as well as for the secretariat. Parties may wish to comment on this trend.

B. Technical content

6. As the Convention process moves towards the technical analysis, design and review of inventory methodologies, national systems, implementation mechanisms, compliance procedures and the like, it is generating an intense demand for technical inputs from government experts, as well as from the secretariat and its partners. Parties may wish to comment on how the existing process, which has heretofore been charged with delivering results that are more "political" in character, could be shaped to respond better to this additional requirement.

7. One response apparent at COP 4 is the use of technical workshops to advance the preparations for discussions in the subsidiary bodies. While it is still early to evaluate the utility of this response, Parties may wish to comment on how this relatively new element of the Convention process could be used to best effect. One challenge to the secretariat in organizing such workshops is the need to balance two conflicting aims: responding to the broad interest in participation, while keeping numbers of participants small enough to permit a productive technical discussion among experts.

C. Volume and timing of documentation

8. Despite the efforts of all concerned, the volume of documentation for sessions of Convention bodies continues to grow in a manner that is putting strains upon production systems and budgets of the United Nations Office at Geneva (UNOG) and of the secretariat, as well as upon the absorptive capacity of delegations. This issue was last addressed in decision 18/CP.3. In reviewing the current situation, in the light of that decision, Parties may wish to consider two issues in particular:

(a) The volume of submissions by Parties (for compilation in miscellaneous documents): the documentation prepared for the tenth sessions of the subsidiary bodies provides some examples of voluminous submissions that might have been more economically circulated separately at the sessions. It would help to retain the cost-effectiveness of miscellaneous documents if the provisions of decision 18/CP.3, paragraph 3 (a) and (b) were fully respected, if all submissions were to be in electronic form and if the secretariat World Wide Web-site were accepted as the primary means of dissemination, with distribution of miscellaneous documents in hard copy available on request;

(b) The translation of documents related to national communications and in-depth reviews: this source of demand for translation services has been boosted by decision 6/CP.3, paragraph 3 (b), and cannot be met by UNOG without cost to its capacity to translate documents for sessions of Convention bodies.

9. Parties may also wish to consider how the workload of the Convention bodies, and documentary inputs thereto, could be spread out more evenly over time and the role that presiding officers, in consultation with the Bureau and the Executive Secretary, could play in achieving this aim.

D. Transparency

10. Parties have, on occasion, expressed concerns about consultative processes employed to obtain the final outcomes of COP sessions, considering their transparency inadequate and their results surprising (see for example, FCCC/CP/1998/6, para. 78). This type of concern is not limited to the Convention process. To some extent, it arises from difficulties of communication within caucuses or constituencies that operate within an intergovernmental process or their less-than-full coverage of the membership of the process. Nevertheless, Parties may wish to advise on ways and means of increasing the transparency of consultations at COP sessions, while maintaining their effectiveness. Following consultations with the COP Bureau, the secretariat offers the following suggestions for consideration by the SBI:

(a) It is difficult to apply a strict formula for constituting a closed negotiating or contact group, owing to the lack of a formal constituency structure. The chairperson should, however, strive for a composition that reflects all interests at stake. It would help the secretariat if informal constituencies provided up-to-date information of their membership;

(b) The possibility of informal consultations being limited to a selected group but conducted in full view of all interested Parties may be explored;

(c) If a subsidiary body reports back to the COP that a contact group at the official (technical) level has been unable to arrive at a conclusion, the level of subsequent consultations should be raised, e.g. a minister could be asked to take over the consultations, possibly accompanied by an official;

(d) The secretariat will explore practical ways to make negotiation processes more transparent to those not involved, in particular by informing them of the state of play and of the anticipated schedule for plenary meetings. Situations in which non-participants in negotiations wait overnight for a result should be avoided;

(e) Sessions should be concluded within the scheduled period. Final negotiations should end, at the latest, in the early hours of the scheduled last day of a session, permitting an orderly conclusion in a plenary meeting in the afternoon, with translation and full documentation.

E. Drafting

11. Drafts resulting from last-minute negotiations often contain linguistic or technical flaws, whose editorial correction after adoption is not always uncontroversial. To minimize such difficulties *ex post*, the secretariat offers the following suggestions:

(a) The secretariat should alert the presiding officers of a negotiating group to drafting problems or discrepancies in a text before the text has been agreed upon;

(b) Presiding officers should be open to such interventions by the secretariat;

(c) If time permits, the Rapporteur should review all draft decisions before they are submitted for final adoption by a plenary meeting.

III. FIFTH SESSION OF THE CONFERENCE OF THE PARTIES

A. Date and venue

12. At its fourth session, held from 2 to 14 November 1998, the Conference of the Parties (COP), on the proposal of the President, requested the Executive Secretary to continue consultations with the Government of Jordan and to report to the President of the Conference, not later than 11 December 1998, on whether the fifth session of the COP could be held in Amman, Jordan, in conformity with General Assembly resolution 40/243. After conducting further consultations, the Government of Jordan informed the Executive Secretary by a letter that Jordan would not be able to host COP 5 as originally proposed. In the absence of an offer from a Party to host COP 5 and in accordance with rule 3 of the draft rules of procedure of the COP and its subsidiary bodies being applied,[1] the Executive Secretary informed the Parties in his message

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[1] See document FCCC/CP/1996/2.

dated 17 December 1998 that the fifth session of the COP will be convened during the period 25 October to 5 November 1999 in Bonn. In this connection, it is envisaged that the subsidiary bodies will also meet within that sessional period.

B. Host country arrangements

13. A separate host country agreement on arrangements for COP 5 is not needed, as the agreement between the United Nations, the Government of the Federal Republic of Germany and the secretariat of the UNFCCC concerning the headquarters of the Convention secretariat already covers arrangements for meetings convened by the Convention secretariat in Bonn.

C. Possible elements for the provisional agenda for the Conference of the Parties at its fifth session

14. Rule 9 of the draft rules of procedure being applied provides that, "in agreement with the President, the secretariat shall draft the provisional agenda of each session". A list of possible elements for a provisional agenda for COP 5 has been prepared, after consultation with the Bureau, and is contained in the annex to this document. Most of the elements of the provisional agenda for COP 5 are also on the agendas of the subsidiary bodies for the current session. This should permit substantive progress to be made in preparing for COP 5. The implementation of decisions incorporated in the Buenos Aires Plan of Action will be considered in relation to the Convention or the Protocol as appropriate.

15. The secretariat has organized the agenda elements in five main groups:

(a) Organizational and procedural matters;
(b) Reports from the subsidiary bodies of the Convention on their work;
(c) Convention implementation issues;
(d) Preparations for the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol;
(e) Administrative and financial matters.

16. Parties are invited to comment on the structure and content of the agenda elements. Views expressed will be taken into account by the secretariat in drafting the provisional agenda.

D. Organization of the session

(a) Overview

17. Consideration of the options for organizing the work of COP 5 and the related sessions of the subsidiary bodies have led to the following scenario:

(a) The formal opening of COP 5 may take place on Monday, 25 October or Monday, 1 November, in both cases in the morning. The chosen opening date will determine the date on which the new COP Bureau is elected, including the election of new chairpersons for the two standing subsidiary bodies. The opening of COP 5 will, as is customary, hear statements by the outgoing and incoming Presidents and the Executive Secretary as well as any welcome addresses that may be appropriate. In addition, it will take up organizational matters;

(b) Whichever formal opening date is chosen for COP 5, the subsidiary bodies will meet during the week of 25 October, including Saturday, 30 October. Services will be available for two parallel meetings with interpretation in the mornings, afternoons and some evenings of this period. The subsidiary bodies will seek during that period to complete their work and recommend decisions for adoption by the COP. Such decisions would be adopted by the COP on Monday, 1 November;

(c) Any matters on which the subsidiary bodies have not reached closure will be referred to the COP for further action. The COP may consider establishing a Committee of the Whole to complete work on such matters. The Committee of the Whole could start work on 1 or 2 November and would close on 4 November;

(d) COP 5 will close in the afternoon of Friday, 5 November. Thus, the night of 4 November will be the last opportunity to conclude any negotiations still under way.

18. It will be noted that there are two choices to be made in the above scenario: which of the two possible opening dates of COP 5 will be selected and whether or not to establish a Committee of the Whole. Advice is sought on the acceptability of the scenario and on these two questions within it.

19. Annex II shows the possible schedules of meetings during the period 25 October to 5 November in the form of two options, each reflecting a different opening date for COP 5. Both options include a Committee of the Whole and a high-level segment.

(b) High-level segment

20. A further question concerns the timing and nature of participation in COP 5 by ministers and other high-level participants. With regard to timing, it is suggested that, independently of the date of the formal opening of COP 5, the high-level segment of ministers and other heads of delegation may take place on Monday, 1 and Tuesday, 2 November. This would permit high-level participants to take stock of the progress of work, confer with each other and provide fresh guidance to their officials, leaving these to negotiate final outcomes. In addition, ministers and other heads of delegation may wish to present formal statements to the plenary and/or take part in discussions in informal settings, such as panels.

21. The final organizational question, related to the preceding one, is whether arrangements should be made for a series of formal statements to be delivered orally to the plenary by Parties, observer States, intergovernmental organizations and non-governmental organizations. If such a general debate were to be organized, as at previous COP sessions, it would take place during the high-level segment. On the other hand, it may be worth considering the alternative of disseminating such statements in writing and on the secretariat Web site, thus permitting ministers and other heads of delegation to use their brief time at the conference for direct interaction.

E. Other organizational matters

1. Participation

(a) Notification and attendance

22. Rule 5 of the draft rules of procedure being applied provides that "the secretariat shall notify all Parties of the dates and venue of a session at least two months before the session is held" (FCCC/CP/1996/2). Formal notification of the fifth session of the COP will be communicated in due course to all Parties through the National Focal Points. For those Parties that have not yet designated a National Focal Point, the notification will be sent to diplomatic missions in Bonn, and to the permanent missions in New York or the Ministry of Foreign Affairs, as appropriate, of Parties not represented in Germany. In all cases, the notification will be copied to diplomatic missions in Bonn and permanent missions in Geneva.[2] The notification will request that the representatives of Parties be provided by their Governments with full powers to participate in the session, including the possibilities to vote and to serve as officers of the fifth session and of any sessional bodies, and as officers of the subsidiary bodies.

23. In accordance with Article 23 of the Convention, States that are not Parties and that wish to participate in COP 5 as Parties from the opening day, should deposit their instruments of ratification or accession by 26 July 1999 at the latest. Such instruments should be received by that date by the Secretary-General of the United Nations as Depositary of the Convention, as the Convention enters into force for each State or regional economic integration organization, ninety days after the date of deposit of the instrument of ratification or accession.

(b) Financial support for participation

24. As at previous sessions of the COP, and depending on the availability of funding, the secretariat hopes to offer funding to: (a) two delegates from each Party that is a least developed country or an eligible small island developing State; and (b) one delegate from each other Party that fulfils the eligibility criterion for funding and that has paid its contributions for 1996, 1997

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[2] The secretariat will be seeking the views of Parties on their preferred avenues of communication in the period after diplomatic missions relocate from Bonn to Berlin.

and 1998. It is to be hoped that contributions to the Trust Fund for Participation in the UNFCCC Process will be forthcoming in the coming months so that funding will be available for each eligible Party to attend COP 5.

(c) Credentials

25. In accordance with rule 19 of the draft rules of procedure being applied, the credentials of representatives of Parties, as well as the names of alternate representatives and advisers, shall be submitted to the secretariat not later than twenty-four hours after the opening of the session. Any later change in the composition of the delegation shall also be submitted to the secretariat. The credentials shall be issued either by the head of State or Government or by the Minister of Foreign Affairs or, in the case of a regional economic integration organization, by the competent authority of that organization. The Bureau of COP 5 shall examine the credentials and submit its report to the Conference; representatives shall be entitled to participate provisionally in the session, pending a decision by the COP to accept their credentials (see rules 20 and 21 of the draft rules of procedure being applied).

2. Rules of procedure

26. As the Conference of the Parties has not been able to adopt its rules of procedure, the draft rules of procedure as contained in document FCCC/CP/1996/2 will continue to be applied, with the exception of draft rule 42, until the rules of procedure are adopted by the Conference.

3. Officers

27. Rule 22 of the draft rules of procedure being applied provides that "at the commencement of the first meeting of each ordinary session, a President, seven Vice-Presidents, the Chairmen of the subsidiary bodies established by Articles 9 and 10 of the Convention, and a Rapporteur shall be elected from among the representatives of the Parties present at the session. They will serve as the Bureau of the session. Each of the five regional groups shall be represented by two Bureau members and one Bureau member shall represent the small island developing States. The offices of President and Rapporteur shall normally be subject to rotation among the five regional groups." Draft rule 22 being applied further states that "no officer may serve on the Bureau for more than two consecutive terms of one year."

28. The President of COP 4 will open and preside over COP 5 until it has elected a President for the session (see rules 23 and 26 of the draft rules of procedure being applied). In accordance with the regional rotation, it is the turn of the Eastern European group to provide the President of COP 5. The group is conducting internal consultations, and will report on the outcome. Further consultations will be required to determine the composition of the Bureau of COP 5, as well as the officers of the subsidiary bodies, as appropriate. The SBI may wish to invite the President of COP 4 to pursue informal consultations on the election of officers for COP 5 and report on the outcome.

29. The elected President of the fifth session will invite the Conference, at its first meeting, to elect the remainder of its officers and the Chairmen of the subsidiary bodies established by Articles 9 and 10 of the Convention. Rule 27 of the draft rules of procedure being applied provides that "each subsidiary body shall elect its own Vice-Chairman and Rapporteur". It is proposed that, if there is agreement on the nominations for these officers of subsidiary bodies, the precedent of the first session be followed and the provisions of rule 27 be waived to allow these officers to be elected directly by the Conference in plenary session. In the absence of such an agreement, the subsidiary bodies will be invited to elect their remaining officers.

4. Admission of organizations as observers

30. The admission of intergovernmental and non-governmental organizations as observers is governed by Article 7.6 of the Convention, which provides, *inter alia*, that "any body or agency, whether national or international, governmental or non-governmental, which is qualified in matters covered by the Convention, and which has informed the secretariat of its wish to be represented at a session of the Conference of the Parties as an observer, may be so admitted unless at least one third of the Parties present object."

31. Following the practice of the UNFCCC, the secretariat will invite to COP 5 those intergovernmental and non-governmental organizations accorded observer status at previous sessions of the COP. Thus the procedure for admission to the COP will apply to new applicants only and to those organizations which received accreditation at COP 4 for attendance only.

32. The secretariat will prepare a list of intergovernmental and non-governmental organizations that have expressed a wish to be admitted to COP 5 for consideration by the Conference at the start of the session. In drawing up the list, the secretariat will take due account of the provisions of Article 7.6 and of the established practice whereby non-governmental organizations are required to furnish proof of their non-profit (tax-exempt) status in a State Member of the United Nations or of a specialized agency or of the International Atomic Energy Agency. The list will include all organizations that have requested and been accorded provisional admission to the work of the subsidiary bodies since COP 4.

33. In accordance with past practice the SBI may request the COP Bureau to consider the list of applicants prior to the session, with a view to establishing that the organizations contained in the list do meet all requirements, and to authorize the secretariat to advise those applicants of their "pre-admittance status", on the understanding that the final authority for the admission of observers rests with the COP.

IV. SIXTH SESSION OF THE CONFERENCE OF THE PARTIES

A. Date and venue

34. Article 7, paragraph 4, of the Convention provides that ordinary sessions of the COP shall be held every year unless otherwise decided by the Conference of the Parties. Accordingly COP 6 should take place in 2000 unless otherwise decided by the Parties. The calendar of meetings adopted at COP 4 includes a sessional period during November/December 2000, with the exact dates to be determined. A decision on this matter is necessary at COP 5.

35. Rule 3 of the draft rules of procedure being applied states that "sessions of the Conference of the Parties shall take place at the seat of the secretariat, unless the Conference of the Parties decides otherwise or other appropriate arrangements are made by the secretariat in consultation with the Parties" (FCCC/CP/1996/2). However, the secretariat has not been able to secure conference facilities in Bonn, the seat of the secretariat, during the desired November/December period in 2000. (Facilities would be available from 16 to 27 October 2000.)

36. This indicates that, if the period indicated by COP 4 is to be retained, COP 6 should be hosted by a Party away from Bonn. It is hoped that any offers to host COP 6 would be made before or at the tenth session of the SBI to enable the SBI to make a recommendation for acceptance by COP 5. Such an offer would have to include an assurance that the host Government would cover the incremental costs of meeting away from Bonn. In view of the expected scale of COP 6 as the deadline for significant work under the Buenos Aires Plan of Action, an early agreement on the date and venue would facilitate the preparations for such a major international conference. In recommending acceptance of an offer to host, the SBI may also request the secretariat to start planning for COP 6 with the designated host country and to draw up the necessary host country agreement, pending confirmation by COP 5.

B. Presidency

37. With the cycle of rotation among the five regional groups to be completed at COP 5, a new cycle would begin at COP 6. The first cycle started with the Presidency from the Western Europe and Others Group. The hosting of a session of the COP away from the secretariat headquarters traditionally confers the presidency upon the host Government.

V. CALENDAR OF MEETINGS

38. At its fourth session, the Conference of the Parties adopted the following calendar of meetings of Convention bodies in 2000-2001:

(a) First sessional period in 2000: from 5 to 16 June;

(b) Second sessional period in 2000: November/December (dates to be determined);

(c) First sessional period in 2001: from 21 May to 1 June; and

(d) Second sessional period in 2001: from 29 October to 9 November.

39. In the light of any offers to host COP 6, the SBI may wish to recommend for adoption by COP 5 the dates for the second sessional period in 2000. It may also start consideration of the calendar of meetings for subsequent years.

Annex I

FIFTH SESSION OF THE CONFERENCE OF THE PARTIES: POSSIBLE ELEMENTS FOR A PROVISIONAL AGENDA

1. Opening of the session:

   (a) Statement by the President of the Conference at its fourth session;
   (b) Election of the President of the Conference at its fifth session;
   (c) Statement by the President;
   (d) Addresses of welcome;
   (e) Statement by the Executive Secretary.

2. Organizational matters:

   (a) Status of ratification of the Convention and the Kyoto Protocol;
   (b) Adoption of the rules of procedure;
   (c) Adoption of the agenda;
   (d) Election of officers other than the President;
   (e) Admission of organizations as observers;
   (f) Organization of work, including the sessions of the subsidiary bodies;
   (g) Calendar of meetings of Convention bodies;
   (h) Date and venue of the sixth session of the Conference of the Parties;
   (i) Adoption of the report on credentials.

3. Reports of subsidiary bodies:

   (a) Report of the Subsidiary Body for Scientific and Technological Advice;
   (b) Report of the Subsidiary Body for Implementation.

4. Review of the implementation of commitments and of other provisions of the Convention:

   (a) National communications from Parties included in Annex I to the Convention;
   (b) National communications from Parties not included in Annex I to the Convention;
   (c) Report of the Global Environment Facility to the Conference;
   (d) Development and transfer of technologies: consultative process (decision 4/CP.4);
   (e) Implementation of Article 4.8 and 4.9 of the Convention: identification of initial actions (decision 5/CP.4 and Article 2.3 and 3.14 of the Kyoto Protocol);
   (f) Activities implemented jointly: decision on the pilot phase and progression beyond (decision 6/CP.4);

(g) Multilateral consultative process under Article 13: action on matters outstanding (decision 10/CP.4);
(h) Research and systematic observation (Articles 4.1(g) and 5 of the Convention);
(i) Scientific and methodological aspects of the proposal by Brazil;
(j) Second review of adequacy of Article 4.2(a) and (b);[3]
(k) Review of information and possible decisions under Article 4.2(f).

5. Preparations for the first session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (COP/MOP 1) (decision 8/CP.4), including:[4]

(a) Matters relating to land-use, land-use change and forestry;
(b) Work programme on mechanisms (decision 7/CP.4);
(c) Procedures and mechanisms related to compliance: report on progress and the possible establishment of an ad hoc group;
(d) Impact of single projects on emissions in the commitment period (decision 16/CP.4).

6. Administrative and financial matters:

(a) Programme budget for 2000-2001;
(b) Income and budget performance in the biennium 1998-1999;
(c) Arrangements for administrative support to the Convention;
(d) Institutional linkage of the Convention secretariat to the United Nations;
(e) Juridical personality of the Convention secretariat on the international plane;
(f) Implementation of the Headquarters Agreement.

7. [General statements:

(a) Statements by ministers and other heads of delegation of Parties at the high-level segment;
(b) Statements by observer States;
(c) Statements by intergovernmental organizations;
(d) Statements by non-governmental organizations.[5]]

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[3] At COP 4, it "proved impossible to reach agreed conclusions or decisions" on this matter (see FCCC/CP/1998/16, para. 64). Item 5 (i) is therefore included here in accordance with rule 16 of the draft rules of procedure being applied which provides that "any item of the agenda of an ordinary session, consideration of which has not been completed at the session, shall be included automatically in the agenda of the next ordinary session, unless otherwise decided by the Conference of the Parties".

[4] Progress on other aspects of the implementation of decision 8/CP.4 will be reported upon under items 3, 4 (a) and 4 (d) above.

[5] See paragraph 21.

8. Other matters.

9. Conclusion of the session:

(a) Adoption of the report of the Conference of the Parties on its fifth session;
(b) Closure of the session.

Annex II

FIFTH SESSION OF THE CONFERENCE OF THE PARTIES: POSSIBLE SCHEDULES OF MEETINGS

Scenario 1

First week: Subsidiary Bodies; Second week: COP, including the high-level segment (HLS) and the Committee of the Whole (CoW)

COP Plenary	2 days	**HLS**	1½ days	**SBI**	6 days
CoW	3 days			**SBSTA**	6 days

Week 1

	Mon	**Tue**	**Wed**	**Thur**	**Fri**	**Sat**
	25-Oct	**26-Oct**	**27-Oct**	**28-Oct**	**29-Oct**	**30-Oct**
a.m., Plenary I	SBI (1)	SBI (3)	SBI (5)	SBI (7)	SBI (9)	SBI (11)
a.m., Plenary II	SBSTA (1)	SBSTA (3)	SBSTA (5)	SBSTA (7)	SBSTA (9)	SBSTA (11)
p.m., Plenary I	SBI (2)	SBI (4)	SBI (6)	SBI (8)	SBI (10)	SBI (12)
p.m., Plenary II	SBSTA (2)	SBSTA (4)	SBSTA (6)	SBSTA (8)	SBSTA (10)	SBSTA (12)
Week 2						
	01-Nov	**02-Nov**	**03-Nov**	**04-Nov**	**05-Nov**	
a.m., Plenary I	COP Plenary	HLS			COP Plenary	
a.m., Plenary II		CoW	CoW	CoW		
p.m., Plenary I	COP Plenary	HLS			COP Plenary	
p.m., Plenary II	HLS	CoW	CoW	CoW		

Scenario 2

First week: Subsidiary Bodies, with COP Plenary on first day; Second week: COP resumed, including the high-level segment (HLS) and the Committee of the Whole (CoW)

COP Plenary	2 days	**HLS**	1½ days	**SBI**	5½ days
CoW	3½ days			**SBSTA**	5½ days

Week 1

	Mon	**Tue**	**Wed**	**Thur**	**Fri**	**Sat**
	25-Oct	**26-Oct**	**27-Oct**	**28-Oct**	**29-Oct**	**30-Oct**
a.m., Plenary I	COP Plenary	SBI (2)	SBI (4)	SBI (6)	SBI (8)	SBI (10)
a.m., Plenary II		SBSTA (2)	SBSTA (4)	SBSTA (6)	SBSTA (8)	SBSTA (10)
p.m., Plenary I	SBI (1)	SBI (3)	SBI (5)	SBI (7)	SBI (9)	SBI (11)
p.m., Plenary II	SBSTA (1)	SBSTA (3)	SBSTA (5)	SBSTA (7)	SBSTA (9)	SBSTA (11)
Week 2						
	01-Nov	**02-Nov**	**03-Nov**	**04-Nov**	**05-Nov**	
a.m., Plenary I	COP Plenary	HLS			COP Plenary	
a.m., Plenary II		CoW	CoW	CoW		
p.m., Plenary I	HLS	HLS			COP Plenary	
p.m., Plenary II	CoW	CoW	CoW	CoW		

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